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present state of scholarship, is not capable of establishment. For guidance in matters relating to European race problems American students of history will continue to depend, as they have done for nearly twenty years, on Ripley's solid and discriminating *Races of Europe*.

A. B. S.

BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

Studies in the Problem of Sovereignty. By HAROLD J. LASKI, of the Department of History in Harvard University. (New Haven: Yale University Press; London: Humphrey Milford, Oxford University Press. 1917. Pp. x, 297.)

THIS is the initial volume, it appears, in a series of historical studies which are intended to form the avenue of approach to an ultimate consideration of the nature of sovereignty. It is an example of painstaking and rather brilliant historical writing, and may justly be classed, both as regards the subject-matter with which it deals and its scholarly method of treatment, with the studies of Mr. J. N. Figgis, and particularly his *From Gerson to Grotius* and his *Churches in the Modern State*.

What may be regarded as the backbone of the study consists of five chapters dealing with the political theory of the disruption of the established Church of Scotland, of the Oxford Movement, of the Catholic Revival, and of the political theories of de Maistre and Bismarck, so far as they relate to the nature of sovereignty. In addition, there is an introductory chapter on "the sovereignty of the State" and two brief papers entitled "notes" on "sovereignty and federalism" and "sovereignty and centralization" printed as appendixes to the main part of the book.

The chapter on the disruption is mainly a critical analysis of the contention of the Free Church of Scotland that the sovereignty of the state does not properly extend to the right of control over matters purely ecclesiastical. Specifically, the Free Church party denied the supremacy of Parliament in respect to the affairs of the Church of Scotland except in so far as they involved purely civil matters; in short, the church was a *societas perfecta* within its own sphere and, no act of Parliament interfering with its organization, creed, or discipline was binding without its consent. Similarly, the political theory of the Oxford Movement represented a protest against the claim of Parliament to control the Church in its purely ecclesiastical affairs. Both movements were therefore essentially anti-Erastian and against the idea of an "all-absorptive state". The political theory of the Catholic revival which ended in the passage of the Roman Catholic Relief Act of 1829 was likewise a protest against the doctrine subsequently elaborated by Gladstone in his *Vatican Decrees* that since the papacy asserted a claim

to the allegiance of all Catholics everywhere, a claim which was inconsistent with the sovereignty of the state, it was unsafe to admit Catholics to the full political privileges accorded to other subjects whose allegiance was undivided. In a compact and illuminating review of the *Kulturkampf* Dr. Laski analyzes Bismarck's theory of sovereignty, particularly in its bearings upon the relation between Church and State. The fact that Bismarck was finally brought to Canossa, the author regards as a confirmation of his own theory that the sovereignty of the state is limited, being conditioned in fact upon the obedience and consent of the people.

When Dr. Laski leaves the field of history and enters upon a discussion of the nature of sovereignty he is less happy, and critics who will attribute to him an imperfect understanding of the real character of sovereignty are not likely to be wanting. Both in his terminology and in his reasoning he employs language calculated to evoke dissent among lawyers and political scientists. Thus he speaks of the "federalism of society", "unified sovereignty", "unified governance", the "sovereign character of the national *government*" (p. 279) and employs other expressions that lead one to doubt whether he fully appreciates the very fundamental distinction between the state and its government—a distinction that lies at the root of an understanding of the nature of sovereignty. He even refers to the individual states of the Federal Union as "those other sovereigns" (p. 283) and to "certain sovereign rights possessed by the states" (p. 267). Again he says: "We prefer a country where the sovereign power is distributed" (p. 273). Scientifically these expressions are inexact, if indeed they do not indicate a confusion of sovereignty with mere power or autonomy and a claim to the divisibility of sovereignty—a theory now rejected by nearly all the best writers on political science.

Finally, the author goes to the length of saying that the "sovereignty of the state will pass, as the divine right of Kings has had its day" (p. 209). If this prophecy is intended to mean what it appears to mean, it is to be hoped that it will never come to pass, and happily there is nothing in the political tendencies of the time, when modern states everywhere are extending their authority over domains formerly abandoned to individual freedom, to justify such an expectation. The notion that the doctrine of absolute sovereignty is dangerous to liberty and inconsistent with democracy is based on a confusion of *state* and *government*; it assumes what is obviously not true, that unlimited sovereignty is irreconcilable with limited government. The two are entirely compatible and it would seem that the more completely sovereign the state, the more able it will be to guarantee and protect the liberty of the individual.

JAMES W. GARNER.